



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes JUDICIAL/LEGISLATIVE COMMITTEE

*Philip M. Goldstein, Chairperson*  
*G. A. (Andy) Morris*  
*Jim King*

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Wednesday, October 30, 2013

Council Chamber

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### Immediately following the Parks, Recreation and Tourism Committee Meeting

**Presiding:** Philip M. Goldstein  
**Present:** G. A. (Andy) Morris and Jim King

**Also Present:**

*R. Steve Tumlin, Mayor*  
*Annette Lewis, Council – Ward 1*  
*Grif Chalfant, Council – Ward 2*  
*Johnny Sinclair, Council – Ward 3*  
*Anthony Coleman, Council – Ward 5*  
*William F. Bruton, Jr., City Manager*  
*Douglas R. Haynie, City Attorney*  
*Stephanie Guy, City Clerk*

### CALL TO ORDER:

*Chairman Goldstein called the meeting to order at 5:47 p.m.*

**20131247**

#### **Summit Village**

Review and approval of the revised tree plan for Summit Village.

*Discussion was held regarding the revised tree plan for Summit Village.*

*Staff was asked to contact the adjacent property owner regarding the proposed revised tree plan and fencing along the property. If there is no disagreement, the revised Landscape Plan may be approved as part of the Detailed Plan for Summit Village.*

*This matter was moved forward to the Council agenda with no recommendation.*

**A motion was made by Council member King, seconded by Council member Morris, that this matter be Recommended for Council Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0**

**Recommended for Council Agenda**

**20131238 Discussion of non-conforming uses - duplexes**

Discussion of duplexes that have lost non-conforming use status.

*Discussion was held regarding duplexes that have lost non-conforming use status. There was general agreement to take no action at this time.*

**No Action Taken**

**20131251 Montgomery Park**

Review and approval of a revised tree (detailed) plan for Montgomery Park.

*Discussion was held regarding the revised Detailed Plan for Montgomery Park. Staff was asked to include language regarding maintenance of the trees in the City right of way.*

**A motion was made by Council member King, seconded by Council member Morris, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0**

**Recommended for Approval - Consent Agenda**

*The meeting recessed at 6:33 p.m., and reconvened at 6:57 p.m.*

**MINUTES:****20130931 Regular Meeting - August 28, 2013**

Review and approval of the August 28, 2013 regular meeting minutes.

**A motion was made by Council member King, seconded by Council member Morris, that this matter be Approved. The motion carried by the following vote:**

**Vote: 3 – 0 – 0**

**Approved**

**20131098 Regular Meeting - September 25, 2013**

Review and approval of the September 25, 2013 regular meeting minutes.

**A motion was made by Council member Morris, seconded by Council member Goldstein, that this matter be Approved. The motion carried by the following vote:**

**Vote: 2 – 0 – 1**

**Approved**

Abstaining: Jim King

**BUSINESS:****20131235      Assistant Prosecutor Approval**

Request approval to add Mr. John William Rife to the Assistant Prosecutor list that is used when the Prosecutor cannot attend a court session.

*This matter was discussed. There was general agreement to hold this matter until January 2014 when other appointments are made.*

**Held in Committee****20131138      2014 City Council Meeting Dates**

Approval of a Resolution establishing the City Council meeting dates and approval of the committee meeting calendar for 2014.

*Staff was directed to also add any MEAG meeting dates that may conflict with the various Council meetings.*

**A motion was made by Council member King, seconded by Council member Morris, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0**

**Recommended for Approval - Consent Agenda**

**20131061      Sign Ordinance Revision**

Discussion related to the advertisement of possible amendments to the Zoning Ordinance, Section 714, Signs.

*Discussion was held regarding amendments to the Sign Ordinance. There was general agreement to move forward with the necessary advertisement.*

*Motion to authorize advertisement of possible amendments to the Zoning Ordinance, Section 714, Signs.*

*This matter should also be added to the November Judicial Legislative Committee agenda for further discussion.*

**The motion was made by Council member King, seconded by Council member Morris, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0**

**Recommended for Approval - Consent Agenda**

**20131080****Coyotes**

Request for a discussion by Council Member Grif Chalfant relative to coyotes in the city limits of Marietta.

**Discussed****20131136****Private Trespass Towing**

Review and approval of an Ordinance amending chapter 8-12-24 Private Trespass Towing of the Code of Ordinances of the City of Marietta, Georgia.

*Discussion was held regarding amendments to the City Code Chapter 8-12-24 Private Trespass Towing.*

*Staff was asked to incorporate suggested changes to the ordinance amending chapter 8-12-24 Private Trespass Towing. Amendments include changing the governing authority name to the Department of Public Safety, amend language regarding ignition keys and adding language about the owner property not being the owner of the towing truck.*

**A motion was made by Council member King, seconded by Council member Morris, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 3 - 0 - 0****Recommended for Approval - Consent Agenda****20131239****Term Limits for Mayor and Council**

Motion to petition by resolution the Local Cobb Legislative Delegation to amend City Charter to set individual term limits for Mayor and Council of three consecutive terms of office commencing with the term of council, January, 2018 (limit shall include terms of then serving Council and Mayor as of date of qualifying for term beginning 2018.) Petition to be presented in December, 2013 for consideration during 2014 Legislative session. Further council to schedule necessary public hearings for this Charter amendment. This item is requested by Mayor Tumlin.

*Discussion was held regarding the proposal to petition by resolution the Local Cobb Legislative Delegation to amend City Charter to set individual term limits for Mayor and Council.*

*A motion was made by Council member Morris to move this matter to the Council agenda for consideration. The motion dies for lack of a second.*

**No Action Taken**

*Prior to adjourning, Council member Chalfant mentioned a growing issue around the City regarding vacant/abandoned property. Staff was asked to bring back information regarding vacant/abandoned property and what can be done to ensure the property is maintained.*

**ADJOURNMENT:**

*The meeting was adjourned at 8:27 p.m.*

**Respectfully submitted,**

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**Stephanie Guy, City Clerk**

**Approved:** \_\_\_\_\_